

Volume 1, Pages 1-37
UNITED STATES DISTRICT
FOR THE DISTRICT OF MASSACHUSETTS

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ELEANOR McCULLEN, et al.,
Plaintiffs,

v.

No. 1:08-cv-10066-JLT

MARTHA COAKLEY, as Attorney
General for the COMMONWEALTH
OF MASSACHUSETTS, et al.,
Defendants.

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Complete Caption on Next Page

DEPOSITION OF ERIC CADIN
Wednesday, May 11, 2011, 1:03 p.m.
Office of the Atty. General
100 Cambridge Street, 12th Floor
Boston, MA 02114

-----Reporter: Carol A. Pagliaro, CSR/RPR/RMR-----

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Eric Cadin - Vol. 1 - 5/11/2011

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| <p style="text-align: right;">6</p> <p>1 A. Yes.</p> <p>2 Q. How often do you go there?</p> <p>3 A. Now it is approximately once a month or --</p> <p>4 once or twice a month. In the past -- I'm in school</p> <p>5 now, so that is why it's more limited. When class</p> <p>6 is in session it would generally be about once a</p> <p>7 week.</p> <p>8 Q. Where are you in school.</p> <p>9 A. I'm at St. John's Seminary in Brighton.</p> <p>10 Q. So, for example, summers you would</p> <p>11 typically go once a week?</p> <p>12 A. Right. Summer specifically would be once a</p> <p>13 week.</p> <p>14 Q. Do you ever go the clinic at issue in this</p> <p>15 case in Worcester?</p> <p>16 A. No.</p> <p>17 Q. How about the clinic in Springfield?</p> <p>18 A. No.</p> <p>19 Q. It's about to leave the case, but do you</p> <p>20 ever go to the clinic in Brookline?</p> <p>21 A. I have been twice.</p> <p>22 Q. Do you stick to a regular schedule for when</p> <p>23 you go outside the clinic in Boston?</p> <p>24 A. Yes. For the most part I try to go on the</p> | <p style="text-align: right;">8</p> <p>1 make known that there were -- someone wouldn't be</p> <p>2 able to make it, so there would be a need for a</p> <p>3 particular day, and then I would try to go in that</p> <p>4 time.</p> <p>5 Q. Bill Cotter organizes or runs Operation</p> <p>6 Rescue in Boston; is that right?</p> <p>7 A. I believe so.</p> <p>8 Q. How do you know Bill Cotter?</p> <p>9 A. I met him through Eleanor McCullen and from</p> <p>10 being out at the Planned Parenthood.</p> <p>11 Q. In Boston?</p> <p>12 A. Mm-mm.</p> <p>13 Q. You said you typically go for a few hours</p> <p>14 in the morning; what hours are those?</p> <p>15 A. It would be typically, I will say, 8:30</p> <p>16 until 11:30, 12:00.</p> <p>17 Q. Are you usually there with someone or are</p> <p>18 you usually there alone?</p> <p>19 A. It's a mix, sometimes with someone,</p> <p>20 sometimes -- I've been there on my own a number of</p> <p>21 sometimes.</p> <p>22 Q. If you are there with someone are there</p> <p>23 particular people you are typically there with?</p> <p>24 A. I've been there with Eleanor McCullen a</p> |
| <p style="text-align: right;">7</p> <p>1 same day for a few hours in the morning.</p> <p>2 Q. Which day do you particularly go when you</p> <p>3 go once a month?</p> <p>4 A. Thursday, this year, I had free, so I would</p> <p>5 go -- it would depend on when my schedule was open.</p> <p>6 In this year it was Thursday.</p> <p>7 Q. And so what, the second Thursday of each</p> <p>8 month or something like that?</p> <p>9 A. That would not be a set. It would depend</p> <p>10 on class exams or papers and things.</p> <p>11 Q. And when class is not in session and you</p> <p>12 are going about once a week, do you go the same day</p> <p>13 each week or does that vary as well?</p> <p>14 A. That can vary. I would often go on</p> <p>15 Tuesday. Last summer it was Tuesday, Tuesday or</p> <p>16 Wednesday I would go.</p> <p>17 Q. The days that you would go, are those days</p> <p>18 you would pick because they were convenient for you,</p> <p>19 or did you pick those days because somebody else</p> <p>20 asked you to be there then, or for some other</p> <p>21 reason?</p> <p>22 A. Most of the time it was convenient. At</p> <p>23 other times, Bill Cotter, who organizes a schedule</p> <p>24 of sorts to make sure there are people there, would</p> | <p style="text-align: right;">9</p> <p>1 number of times.</p> <p>2 Q. Have you been there with anybody other than</p> <p>3 Eleanor?</p> <p>4 A. Yes, and their names escape me at the</p> <p>5 moment.</p> <p>6 Q. Men, women, both?</p> <p>7 A. Mostly women predominantly, almost</p> <p>8 exclusively women.</p> <p>9 Q. When you are outside the clinic in Boston,</p> <p>10 what do you do?</p> <p>11 A. I try to speak with the women coming in for</p> <p>12 abortion and with the people who are bringing them,</p> <p>13 who are accompanying them, try to have a</p> <p>14 conversation, try to express to them the options</p> <p>15 aside from abortion that are available, all of the</p> <p>16 help that is available.</p> <p>17 Q. Women might go to Planned Parenthood for</p> <p>18 many reasons; how do you know which women are going</p> <p>19 there for an abortion?</p> <p>20 A. I don't know everyone that is going there</p> <p>21 for abortion. A number will say explicitly when</p> <p>22 engaged in conversation that is why they are going.</p> <p>23 Others will look as if -- they will be in very</p> <p>24 loose-fitting clothing and with a friend who is</p> |

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| <p style="text-align: right;">10</p> <p>1 accompanying them, and usually in pairs or -- so I 2 try to engage anyone who is going in, because I'm 3 not being aggressive or anything like that. 4 I'm trying to make them know and give 5 them the information that there are others options 6 and that there is real help available, and so even 7 if they weren't going in for an abortion, I mean, 8 all of this information is very good and helpful and 9 is only for -- if it's not particular to them at 10 that moment, maybe one of their friends or someone 11 they know could really use this information, so... 12 Q. How do you go about engaging someone in 13 conversation? 14 A. I will say hello, I will just engage them 15 in conversation. Like I would say -- just make 16 known all the help that is available. I would let 17 them know there are other options, that they don't 18 have to be forced into this decision, and just 19 engage them in a very human, personal way with, you 20 know, a very friendly demeanor and inviting -- just, 21 I guess, just an inviting demeanor, perspective, so 22 that a number will stop and talk to me, see what I 23 have to say, not yelling at them or lecturing them. 24 Q. Help me get a picture. You are doing this</p> | <p style="text-align: right;">12</p> <p>1 stand. 2 Q. That is generally where you would stand? 3 A. Mm-hmm. 4 (The Court Reporter asks the Witness to 5 respond with a word rather than a sound.) 6 A. At times I stand on -- yes, I stand on this 7 side or on that side. 8 Q. So when you are seeking to engage in 9 conversation with people who might be going to 10 Planned Parenthood, do you ever position yourself in 11 a location other than the two you just described? 12 A. There are times when I would position 13 myself in front, but there is only a very small area 14 to stand and because -- if I'm there by myself, I 15 can't be on both sides at the same time, and so if 16 I'm standing directly in front, I can see both sides 17 approaching, but I'm in the street and/or right on 18 the edge, and it's a very busy street, so... 19 Q. What we marked as Exhibit 8 might help 20 depict what you were just describing. This is a 21 view, tell me whether I'm right, looking from Alcorn 22 Street at the Planned Parenthood Clinic entrance? 23 A. Yes. 24 Q. The yellow line there is the buffer zone</p> |
| <p style="text-align: right;">11</p> <p>1 on the sidewalk along Comm. Ave.? 2 A. Yes. So it would be on the sidewalk on 3 Comm. Ave. if you're looking at Planned Parenthood 4 to the right, or in front of Star Market it would 5 have to be. 6 Q. We marked a few pictures as exhibits this 7 morning when I was talking with Ellen McCullen. I'm 8 going to show you what has been marked as Exhibit 9 No. 6, for example. That is a picture of the front 10 of the Planned Parenthood Clinic in Boston, right? 11 A. Yes. 12 Q. And the street at the bottom of the 13 photograph, that is Commonwealth Avenue? 14 A. Yes. 15 Q. So you can see the entrance of Planned 16 Parenthood, and across that is what, Alcorn Street? 17 You can see Star Market? 18 A. Mm-hmm. 19 Q. So if one were looking at the entrance to 20 Planned Parenthood, as you were saying, you could 21 either stand off to the right on the sidewalk or to 22 the left across Alcorn Street and in front of the 23 Star Market there? 24 A. Right. That is generally where I would</p> | <p style="text-align: right;">13</p> <p>1 line; is that right? 2 A. Yes. 3 Q. And there is a gentleman with a blue shirt 4 and khaki pants just inside the buffer zone line. 5 Between him and the orange barrel there's a small 6 strip of sidewalk outside the buffer zone. Do you 7 see that? 8 A. Yes. 9 Q. Is that the location you were talking about 10 when you said sometimes you stand directly in front 11 of the -- 12 A. Yes, I would stand there. 13 Q. Let's see. Sometimes you say you are there 14 with Eleanor McCullen. Do you two stand together or 15 do you each take one side of the entrance? 16 A. We will do both, because each of us has a 17 different perspective and a unique perspective. She 18 is older and female and I am younger and male, and 19 so what she has to say is different than what I have 20 to say, so there are times when we would both stand 21 on the same side and we would both engage a person, 22 and there are other times where we would be on 23 opposite sides. 24 Q. In a typical morning, if you are there on</p> |

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| <p style="text-align: right;">14</p> <p>1 the sidewalk for three or three and a half hours, 2 how many different women or couples will you end up 3 having conversation with? 4 A. I would say more than 10. I don't know a 5 precise number. 6 Q. Sure. And the number more than 10, that is 7 a rough estimate of the number of people who 8 actually stop and engage in conversation with you? 9 A. Yes. 10 Q. There are other people who you try to 11 engage in conversation, but for whatever reason they 12 don't do so? 13 A. Yes, yes. 14 Q. Do you have any sort of sign with you when 15 you stand outside this clinic? 16 A. I have not held a sign on many occasions 17 there. 18 Q. You have held a sign on a few occasions? 19 A. There have been times where I would go with 20 a large group, and those couple of times I would 21 hold a sign rather than have extensive conversation 22 with people, just for my own reasons. 23 Q. The times you were there with a larger 24 groups, was this one of the second Saturdays of the</p> | <p style="text-align: right;">16</p> <p>1 to the women and men who were going in. There would 2 be escorts, so I guess they would be employees of 3 Planned Parenthood or marked as Planned Parenthood 4 escorts who would identify, in the same way we 5 would, people who they think were going in and would 6 go and literally escort them from wherever they 7 picked them up to prevent them from hearing or 8 engaging with any of us. 9 They would either literally stand in the 10 way of what we were doing and follow that person all 11 the way to the door, or would start speaking with 12 that person while we were to sort of drown out what 13 we were saying, or to say that what we were doing, 14 that we shouldn't be listened to, we are crazy, we 15 are just pro life fanatics, or any number of things 16 and to impede and just to block either our message 17 or our ability to even engage them. 18 Q. What else can you tell me that you saw or 19 heard when you were there with these larger Saturday 20 groups? 21 A. I don't know what specifically you are 22 looking for. 23 Q. The people in the group accompanying you or 24 the group that you were accompanying, what else were</p> |
| <p style="text-align: right;">15</p> <p>1 month gatherings? 2 A. Yes. 3 Q. Why don't you describe to me those few 4 Saturdays when you were there with the large group 5 what happened. 6 A. I would go -- the most recent one was maybe 7 two months ago, and a large group of us from my 8 school, we joined with the second Saturday group, 9 and so there were a large number of people there, 10 and I primarily wanted to pray during those times, 11 and hold a sign, so those would be -- so then we 12 would be standing in the street. 13 Q. The sign that you were holding, what did it 14 say? 15 A. I don't remember specifically. 16 Q. I'm just wondering whether I have any 17 illustrative photos of the gathering you were 18 describing. Never mind. 19 What else can you remember happening 20 when you were there with the larger groups on a 21 Saturday? In other words, what were other people 22 doing? You described what you were doing there. 23 A. I would be -- so I was praying. Some 24 people would be trying to counsel the women and talk</p> | <p style="text-align: right;">17</p> <p>1 they doing? 2 A. On those days there tended to be someone 3 leading the Rosary, so we were praying the Rosary in 4 a large group, and praying the Devine Mercy Chaplet, 5 and people holding a crucifix or sign to -- 6 Q. Did you ever see people holding a large 7 crucifix that would rest on the ground, for example? 8 A. I can't remember. People would certainly 9 have a crucifix. I can't remember if it was a large 10 crucifix. 11 Q. The prayers, did anybody when you were 12 there have a microphone to amplify their prayer? 13 A. Yes. 14 Q. Was there a particular person who would 15 have the microphone typically? 16 A. It would be whoever was leading. Like in 17 the Rosary, there would be five decats, and so a 18 different person would lead each one and be given 19 the microphone. 20 Q. Again focusing on these Saturdays, did 21 anybody in the group have signs? 22 A. Yes, people would have signs. There were 23 signs. 24 Q. Do you remember what any of those signs</p> |

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| <p style="text-align: right;">18</p> <p>1 said either specifically or in substance?</p> <p>2 A. One I can remember is it had a blue</p> <p>3 background, and it's this little baby, and it said</p> <p>4 Life on it, and someone has a sign -- I think there</p> <p>5 is a sign that said Abortion is Murder.</p> <p>6 Q. The Saturday gatherings, the ones you have</p> <p>7 been to, how long do they last typically?</p> <p>8 A. I think two hours. I couldn't say exactly</p> <p>9 with confidence the exact amount of time,</p> <p>10 approximately two hours.</p> <p>11 Q. Your best estimate is two hours?</p> <p>12 A. I think so.</p> <p>13 Q. So let's turn back to when you are there</p> <p>14 either alone or with Eleanor. Do you hand out</p> <p>15 literature?</p> <p>16 A. Yes, at times I will have a small pamphlet</p> <p>17 generated by A Woman's Concern that I would hand or</p> <p>18 attempt to hand to the women going in, anyone</p> <p>19 passing by. It has, in very brief form, a lot of</p> <p>20 the information and services that are available for</p> <p>21 help.</p> <p>22 Q. Is the pamphlet marked Exhibit 1, by any</p> <p>23 chance, the one you have in mind?</p> <p>24 A. That one is not the one I have in mind. I</p> | <p style="text-align: right;">20</p> <p>1 literature then.</p> <p>2 Q. Now that you are remaining outside the</p> <p>3 buffer zone?</p> <p>4 A. It's very difficult to even hand out the</p> <p>5 literature because, one, when I was able to stand</p> <p>6 inside what is the buffer zone now, it was far</p> <p>7 easier to see who was going in. Now you don't know</p> <p>8 as easily as you could before and so now the -- and</p> <p>9 if I'm on one side I can't -- by the time I would</p> <p>10 get to the other side, they would have, in a lot of</p> <p>11 cases, already gotten into the buffer zone, so it is</p> <p>12 not possible to give them to them, and then on the</p> <p>13 left side, the Alcorn Street side in front of --</p> <p>14 basically in front of the Star Market, there is -- I</p> <p>15 mean, there is a lot of people, some going into Star</p> <p>16 Market, some going to Planned Parenthood, so it's</p> <p>17 just harder to be able to give them to the people</p> <p>18 who would benefit.</p> <p>19 Q. In a typical morning when you are there on</p> <p>20 the sidewalk outside the clinic, how many women</p> <p>21 actually stop or at least pause and engage in some</p> <p>22 conversation with you?</p> <p>23 A. I think I said before at least 10, roughly,</p> <p>24 I would have some kind of conversation with.</p> |
| <p style="text-align: right;">19</p> <p>1 think that is an older one.</p> <p>2 Q. Do you remember the color of the one you</p> <p>3 have in mind?</p> <p>4 A. Smaller and -- that one.</p> <p>5 Q. Exhibit 3?</p> <p>6 A. Yes, this one.</p> <p>7 Q. When you are handing that out where do you</p> <p>8 get your copies of that from?</p> <p>9 A. Either Bill Cotter or Eleanor McCullen.</p> <p>10 Q. In a typical morning -- again if you're</p> <p>11 there three, three and a half hours -- how many</p> <p>12 copies of this will you hand out that women will</p> <p>13 actually take from you?</p> <p>14 A. I would say 20 to 30 maybe, but it's</p> <p>15 significantly less because of the buffer zone. I'm</p> <p>16 not able to hand out -- because previously I was</p> <p>17 able to at least hand one to almost everyone who</p> <p>18 went in and now that is just not possible.</p> <p>19 Q. Previously you liked to stand closer to the</p> <p>20 actual entranceway; is that correct?</p> <p>21 A. Yes.</p> <p>22 Q. From that location you could try to hand</p> <p>23 literature to just anybody going in?</p> <p>24 A. Yes, and most people would take the</p> | <p style="text-align: right;">21</p> <p>1 Q. In having those conversations, what is your</p> <p>2 goal? What are you trying to accomplish?</p> <p>3 A. I want to, one, let them know that there is</p> <p>4 all sorts of help available for them and that I and</p> <p>5 the people at these centers, and anyone else who is</p> <p>6 present at these things, really does care about them</p> <p>7 and wants to help them, and help their child, and</p> <p>8 help their situation, that this is not the only</p> <p>9 choice that they have, which a lot feel.</p> <p>10 Q. Are you hoping to encourage women to visit</p> <p>11 a Woman's Concern instead of going to Planned</p> <p>12 Parenthood?</p> <p>13 A. If they wanted and need the services that</p> <p>14 they had, certainly. If they didn't need these</p> <p>15 particular services or want these particular</p> <p>16 services, I don't force them and wouldn't, but this</p> <p>17 is a particular place that is just an example of a</p> <p>18 place that has very real help.</p> <p>19 Q. For you, what is a successful interaction</p> <p>20 with a woman outside the clinic?</p> <p>21 A. Well, at the minimum, that they can receive</p> <p>22 the information that I have, that they know in a way</p> <p>23 that a lot of them didn't know before more of a</p> <p>24 fuller picture of their choices available to them</p> |

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| <p style="text-align: right;">22</p> <p>1 and the options available to them, so as a start 2 that would be -- that there are people who do care 3 about them and that there is real help; that would 4 be a minimum. 5 Q. Just to pause on the minimum, if a woman 6 listens to you, speaks to you, takes literature from 7 you, are you achieving that minimum level of success 8 do you think? 9 A. Well, not as I would have, not as I was 10 before, no, because there is -- like if I'm there by 11 myself, I cannot be on both sides at the same time 12 and so I can't engage -- if I am on the left side in 13 front of Star Market and someone is coming from the 14 right, it's just not really possible for me to get 15 over there to be able to even do this minimum 16 amount. 17 Q. So let me -- 18 A. Because what is important is, more than 19 like a sign or anything, is actually engaging and 20 having a real conversation, letting them know -- if 21 it's through me, great -- that there are real people 22 who can help them and want to help them, and that is 23 why, even more than handing the thing, it's 24 important to be able to speak to them in a human</p> | <p style="text-align: right;">24</p> <p>1 half years to guide women who you meet outside the 2 clinic in Boston to, as you say, help and support 3 that is not from Planned Parenthood? 4 A. Yes. 5 Q. Tell me more about the help and support you 6 have been able to guide women to? 7 A. Well, a number of women have, one, chosen 8 not to have the abortion, and others, specifically 9 through the help of the Woman's Concern and Eleanor 10 have -- I have participated in baby showers that 11 were done and all sorts of gifts that were given in 12 support, bringing money and checks to women to help 13 pay their rent to -- from baby showers to being like 14 the courier even from someone else to help pay the 15 rent or helping them with food, and clothes, and 16 diapers. 17 Q. Since November of 2007, again when the law 18 was changed, how many women have you helped convince 19 not to have an abortion? 20 A. I can't recall an exact number. 21 Q. I don't need an exact number, but what is 22 your best estimate based on your memory? 23 A. Honestly I can't think of a number at the 24 moment because I haven't kept track of how many I</p> |
| <p style="text-align: right;">23</p> <p>1 way, because there really is a personal element 2 that, you know, is not just a slogan, it's really 3 help. 4 Q. I'm assuming, but tell me if I'm wrong, 5 that sometimes you approach or try to speak with a 6 woman who isn't interested and goes on her way; is 7 that fair to say? 8 A. Yes. 9 Q. And you have already said, I guess a couple 10 of times, sorry about that, that in a typical 11 morning you are able to succeed in having real 12 conversation with 10 or more women; is that fair? 13 A. Yes. I mean real, some kind of real 14 engagement, yes. 15 Q. Now, I had interrupted you, you described 16 for you what would be sort of the minimum level of 17 communication or success you are hoping to achieve. 18 What beyond that minimum level would you hope to 19 accomplish through your efforts outside the clinic? 20 A. I would hope that the woman chooses to keep 21 her child, that if she needed it she was able to get 22 the real help and support that she needs and that in 23 a lot of cases we can offer. 24 Q. Have you been able in the past three and a</p> | <p style="text-align: right;">25</p> <p>1 specifically have helped -- or not helped, but 2 convinced otherwise. 3 Q. Do you think it's at least one woman? 4 A. Yes. 5 Q. More than one? 6 A. Yes. 7 Q. More than 10? 8 A. I think so. 9 Q. Are you also aware of women who Eleanor, or 10 somebody else who is doing work on the sidewalk in 11 front of the Boston clinic, have convinced not to 12 abort her child? 13 A. Yes. 14 Q. And you're aware of this through how; 15 meeting these women at baby showers or talking to 16 Eleanor? Explain to me how you are aware of it. 17 A. Talking to Eleanor, at different -- helping 18 to bring -- collect gifts for different baby showers 19 or Baptisms that may be happening, like 20 participating in Baptisms, bringing food to them, 21 so... and then Bill Cotter will send -- has 22 different e-mails where he will say -- he will just 23 sort of mention a woman today decided this so... 24 Q. In these various ways how many women are</p> |

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| <p style="text-align: right;">26</p> <p>1 you aware of who, through contacts made outside the</p> <p>2 clinic in Boston, the Planned Parenthood Clinic,</p> <p>3 have been given help or support through the group of</p> <p>4 people you have been talking about?</p> <p>5 A. A number?</p> <p>6 Q. A vague sense of how many are we talking;</p> <p>7 three, thirty, a hundred? You know, order of</p> <p>8 magnitude.</p> <p>9 A. I think more than a hundred.</p> <p>10 Q. Have you been involved, in the times that</p> <p>11 you have spent outside the clinic, in helping</p> <p>12 convince women to go to a Woman's Concern?</p> <p>13 A. Yes. At one point, A Woman's Concern,</p> <p>14 there was an office for Woman's Concern down the</p> <p>15 street -- there was, there is no longer -- and then</p> <p>16 also to the center in Dorchester.</p> <p>17 Q. Again, I know these are hard question to</p> <p>18 remember, but roughly how many women have you helped</p> <p>19 convince go to see folks at A Woman's Concern</p> <p>20 instead of going into Planned Parenthood?</p> <p>21 A. More than five.</p> <p>22 Q. When you are outside the clinic, either</p> <p>23 alone or with Eleanor, have you seen anyone else</p> <p>24 present at those times engaged in some sort of</p> | <p style="text-align: right;">28</p> <p>1 out.</p> <p>2 Q. Do you know her name by any chance?</p> <p>3 A. I can't remember right now. I do, but I...</p> <p>4 Q. It happens to me all the time. It's a</p> <p>5 curse.</p> <p>6 A. I can't remember.</p> <p>7 Q. In the disclosures that you had to make</p> <p>8 during this case you listed the names of a number of</p> <p>9 people, some of them you touched on, but I'm going</p> <p>10 to go through those names and ask you to tell me</p> <p>11 what you observed each of them doing in front of the</p> <p>12 clinic.</p> <p>13 Bill Cotter, first of all. We spoke</p> <p>14 about him some but --</p> <p>15 A. Yes.</p> <p>16 Q. Tell me your understanding based on your</p> <p>17 observations of what Bill Cotter does outside the</p> <p>18 clinic.</p> <p>19 A. I've seen Bill pray outside and I've seen</p> <p>20 him document with pictures what is going on.</p> <p>21 Q. Meaning take photographs?</p> <p>22 A. Like take photos. And I've seen Bill try</p> <p>23 to organize to make sure there was someone there.</p> <p>24 Q. What is your understanding of how Bill goes</p> |
| <p style="text-align: right;">27</p> <p>1 expressive or communicative activity near the buffer</p> <p>2 zone?</p> <p>3 A. Yes.</p> <p>4 Q. Tell me about what you have seen or heard.</p> <p>5 A. I've seen people there praying, I've seen</p> <p>6 people there holding signs, and I've seen people</p> <p>7 there -- I mean, I have mostly seen people there</p> <p>8 praying.</p> <p>9 Q. Do you remember the substance of any of the</p> <p>10 signs that you have seen people holding nearby this</p> <p>11 buffer zone?</p> <p>12 A. I remember signs, you know, advocating life</p> <p>13 and helping the baby or the woman.</p> <p>14 Q. Have you by any chance ever been on one</p> <p>15 side of the buffer zone and seen somebody holding a</p> <p>16 sign on the other side of the buffer zone?</p> <p>17 A. I can't recall that happening.</p> <p>18 Q. Have you seen anybody else near the Boston</p> <p>19 clinic handing out literature?</p> <p>20 A. Yes.</p> <p>21 Q. Tell me what you observed in that regard.</p> <p>22 A. I've seen one woman who hands out rosaries</p> <p>23 and some other form of -- I don't know which one, it</p> <p>24 might be this -- standing on one side handing it</p> | <p style="text-align: right;">29</p> <p>1 about organizing just to try to make sure someone is</p> <p>2 there?</p> <p>3 A. He calls or sends an e-mail.</p> <p>4 Q. Are there particular times of day or days</p> <p>5 of the week that Bill is trying to make sure someone</p> <p>6 is outside the clinic?</p> <p>7 A. All the days they are opened, so Tuesday to</p> <p>8 Saturday.</p> <p>9 Q. Is morning the main time when he is trying</p> <p>10 to get people there or is he trying to get people</p> <p>11 there all day long?</p> <p>12 A. I'm not sure. Definitely in the morning.</p> <p>13 In the afternoon as well. I don't know exactly what</p> <p>14 he is thinking or in terms of the entire workday,</p> <p>15 but absolutely in the morning.</p> <p>16 Q. What else have you seen or heard Bill</p> <p>17 Cotter doing with respect to activities outside the</p> <p>18 Boston clinic?</p> <p>19 A. I've seen him encouraging the people there</p> <p>20 who are either praying or trying to talk to the</p> <p>21 women.</p> <p>22 Q. Anything else?</p> <p>23 A. I think I've seen Bill a couple of times</p> <p>24 himself trying to talk to the women.</p> |

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| <p style="text-align: right;">30</p> <p>1 Q. Anything else?</p> <p>2 A. I can't think of anything else.</p> <p>3 Q. Who is Ruth Schiavone, S-c-h-i-a-v-o-n-e?</p> <p>4 A. Ruth is a woman who also is there, tries to</p> <p>5 talk to the women. Ruth is the one who hands out</p> <p>6 the rosaries.</p> <p>7 Q. So you have seen Ruth near the buffer zone</p> <p>8 speaking with women, handing them rosaries.</p> <p>9 A. Yes.</p> <p>10 Q. Handing literature to women?</p> <p>11 A. Yes.</p> <p>12 Q. What else have you seen or heard Ruth doing</p> <p>13 outside of the clinic buffer zone?</p> <p>14 A. Just trying to engage and talk to the women</p> <p>15 and praying.</p> <p>16 Q. As much as you were?</p> <p>17 A. Yes.</p> <p>18 Q. How frequently do you see Ruth near the</p> <p>19 clinic?</p> <p>20 A. I'm not sure. I think Ruth is there pretty</p> <p>21 regularly on Tuesday, but I'm not -- I'm not sure</p> <p>22 which day, but I think she tries to come weekly.</p> <p>23 Q. So your understanding is either from Ruth</p> <p>24 or from -- is it from Ruth or Bill who told you that</p> | <p style="text-align: right;">32</p> <p>1 literature to anyone?</p> <p>2 A. I can't remember.</p> <p>3 Q. Does Jean ever stand with or hold a sign?</p> <p>4 A. I can't remember.</p> <p>5 Q. How about Ruth, does she ever stand with or</p> <p>6 hold a sign?</p> <p>7 A. I don't remember that either.</p> <p>8 Q. Who is Michael Sheehan?</p> <p>9 A. He is someone I go to school with and I</p> <p>10 have seen a few times in the morning when I have</p> <p>11 been there. He speaks Spanish, so he can speak to a</p> <p>12 lot of people that I cannot.</p> <p>13 Q. Have you and he ever gone there together or</p> <p>14 you just coincidentally run into him?</p> <p>15 A. I have never gone there with him. He would</p> <p>16 take the train there.</p> <p>17 Q. Is that how you get there as well?</p> <p>18 A. I drive.</p> <p>19 Q. Where do you park?</p> <p>20 A. Generally at different metered spots on</p> <p>21 Commonwealth Ave.</p> <p>22 Q. Do you have any -- or put any signs on or</p> <p>23 in your car when you are parked near the clinic?</p> <p>24 A. No.</p> |
| <p style="text-align: right;">31</p> <p>1 Ruth is there usually once a week or somebody else?</p> <p>2 A. I can't remember who told me.</p> <p>3 Q. How frequently are you and she there at the</p> <p>4 same time?</p> <p>5 A. I'm not sure how to answer it. I think --</p> <p>6 I mean, whenever she is there we are there at the</p> <p>7 same time whenever we are both there. Sometimes.</p> <p>8 Q. Far less frequently then when you and</p> <p>9 Eleanor McCullen are there together?</p> <p>10 A. Yes.</p> <p>11 Q. How old is Ruth?</p> <p>12 A. I don't know.</p> <p>13 Q. Roughly?</p> <p>14 A. Well, she is older than I am. Depending on</p> <p>15 how you mean, significantly older than I am.</p> <p>16 Q. Who is Jean Blackburn Zarrella?</p> <p>17 A. Jean is another woman who at times has come</p> <p>18 out and prayed and spoken with women.</p> <p>19 Q. You've observed Jean Zarrella outside the</p> <p>20 Boston clinic from time to time?</p> <p>21 A. I've observed her there, yes.</p> <p>22 Q. What have you seen or heard Jean do?</p> <p>23 A. Trying to speak to the women and pray.</p> <p>24 Q. Have you seen Jean trying to hand</p> | <p style="text-align: right;">33</p> <p>1 Q. Do you have any bumper stickers on your</p> <p>2 car?</p> <p>3 A. No.</p> <p>4 Q. What have you seen and observed Michael</p> <p>5 Sheehan doing near the buffer zone outside the</p> <p>6 Boston clinic?</p> <p>7 A. I have seen him praying and I've seen him</p> <p>8 talking with women and speaking Spanish and talking</p> <p>9 with the Spanish people.</p> <p>10 Q. Have you ever seen Michael holding or with</p> <p>11 a sign?</p> <p>12 A. I don't remember.</p> <p>13 Q. Have you seen him handing literature to</p> <p>14 anyone?</p> <p>15 A. Yes.</p> <p>16 Q. Do you happen to know whether he hands out</p> <p>17 a Spanish language flyer in particular?</p> <p>18 A. I don't know. I can't remember.</p> <p>19 Q. Who is Paul Williams?</p> <p>20 A. He is a man who I've seen there on</p> <p>21 Saturdays.</p> <p>22 Q. With a large group?</p> <p>23 A. With a large group, yes.</p> <p>24 Q. What have you seen or heard Paul Williams</p> |

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| <p style="text-align: right;">34</p> <p>1 doing when he is outside this clinic?</p> <p>2 A. I don't know if he leads it, but he is one</p> <p>3 of the leaders of the prayer and the rosary and the</p> <p>4 chaplet.</p> <p>5 Q. Eleanor McCullen, what have you seen or</p> <p>6 heard Eleanor doing outside the Boston clinic?</p> <p>7 A. I have seen her talk with the women and</p> <p>8 I've seen her pray out there. I don't remember if</p> <p>9 I've seen her hand literature. No, I have,</p> <p>10 actually.</p> <p>11 Q. Have you participated in or heard some</p> <p>12 conversations that Eleanor has had with women on the</p> <p>13 sidewalk outside the Boston clinic?</p> <p>14 A. Yes.</p> <p>15 Q. Do you think she is pretty effective in</p> <p>16 those conversations?</p> <p>17 A. I think she is -- you know, she is able to</p> <p>18 offer her perspective and help when she is able to</p> <p>19 engage the women.</p> <p>20 Q. Is she good at engaging and communicating</p> <p>21 with the women she is speaking to on the sidewalk?</p> <p>22 A. Yes.</p> <p>23 Q. Do you think you have gotten good at doing</p> <p>24 that?</p> | <p style="text-align: right;">36</p> <p>1 COURT REPORTER'S CERTIFICATE</p> <p>2 I, Carol A. Pagliaro, Registered Merit Reporter</p> <p>3 and Notary Public in the Commonwealth of</p> <p>4 Massachusetts (my commission expires (04/27/2018),</p> <p>5 hereby certify that the foregoing transcript of the</p> <p>6 deposition of Eric Cadin, taken on May 11, 2011, in</p> <p>7 the matter of Eleanor McCullen, et al. v. Martha</p> <p>8 Coakley, et al., is a true and accurate</p> <p>9 transcription of my stenographic notes, to the best</p> <p>10 of my skill and ability, and that the deponent was</p> <p>11 sworn by me, having provided satisfactory evidence</p> <p>12 of identification as required by Executive Order 455</p> <p>13 (03-13) of the Governor.</p> <p>14 I certify further that I am neither counsel for,</p> <p>15 related to, nor employed by any parties to the above</p> <p>16 action and that I am not a relative or employee of</p> <p>17 any attorney or counsel employed by the parties</p> <p>18 thereto, nor financially or otherwise interested in</p> <p>19 the outcome of the action.</p> <p>20 Transcript review was requested of the reporter.</p> <p>21</p> <p>22 _____</p> <p>23 DATED: 5/20/11 Carol A. Pagliaro</p> <p>24</p> |
| <p style="text-align: right;">35</p> <p>1 A. I try.</p> <p>2 Q. Do you think you have gotten good at it?</p> <p>3 A. I think I have gotten better.</p> <p>4 Q. We are going to take a real short break so</p> <p>5 we can figure out whether we have any more questions</p> <p>6 for you or not.</p> <p>7 (Recess taken.)</p> <p>8 (Whereupon, at 1:49 p.m. the deposition</p> <p>9 was concluded.)</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> | <p style="text-align: right;">37</p> <p>1 SIGNATURE PAGE/ERRATA SHEET</p> <p>2 I, Eric Cadin, hereby certify that I have read the</p> <p>3 foregoing transcript of my testimony, and further</p> <p>4 certify under the pains and penalties of perjury</p> <p>5 that said transcript is a true and accurate record</p> <p>6 of said testimony (with the exception of the</p> <p>7 following changes listed below):</p> <p>8 Page Line Change and Reason Therefor</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 Signed this _____ day of _____, 2011.</p> <p>22</p> <p>23</p> <p>24 Eric Cadin</p> |

1 WITNESS: Eric Cadin
2 DATE: May 11, 2011
3 CASE: Eleanor McCullen, et al. v.
4 Martha Coakley, et al
5
6 DISTRIBUTION TO COUNSEL The original signature
7 page/errata sheet was sent to Atty. DePrimo to
8 obtain signature from the deponent. When signed,
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11 WITNESS INSTRUCTIONS After reading the transcript
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14 sheet. DO NOT make any notations on the transcript
15 itself. Use additional sheets if necessary.
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18 SIGN AND DATE THE ERRATA SHEET and return it, along
19 with the transcript, to your counsel.
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| <hr/> A <hr/> AAG 3:12,14 ability 16:17 36:10 able 8:2 19:16,17 20:5 20:17 22:15,24 23:11,21,24 24:6 34:17,18 abort 25:12 abortion 9:12,15,19 9:21 10:7 18:5 24:8 24:19 absolutely 29:15 accompanying 9:13 10:1 16:23,24 accomplish 21:2 23:19 accurate 36:8 37:5 achieve 23:17 achieving 22:7 action 36:16,19 activities 29:17 activity 27:1 actual 19:20 additional 38:15 advocating 27:12 afternoon 5:10 29:13 aggressive 10:3 ago 15:7 al 1:5,7 36:7,8 38:3,4 Alcorn 11:16,22 12:21 20:13 amount 18:9 22:16 amplify 17:12 and/or 12:17 answer 5:14 31:5 anybody 9:2 17:11,21 19:23 27:18 approach 23:5 approaching 12:17 approximately 6:3 18:10 area 12:13 ARSENAULT 1:20 Ashburton 3:17 aside 9:15 asked 7:20 asks 12:4 assume 5:12 assuming 23:4 attempt 18:18 attorney 1:6 2:8,10,12 2:13,15 3:11 36:17 Atty 1:14 3:4 4:4 5:9 38:7,9 available 9:15,16 10:6 10:16 18:20 21:4,24 | 22:1 Ave 11:1,3 32:21 Avenue 3:5 11:13 aware 25:9,14,16 26:1 <hr/> B <hr/> baby 18:3 24:10,13 25:15,18 27:13 back 18:13 background 18:3 Baptisms 25:19,20 barrel 13:5 Barron 3:23 based 24:22 28:16 BASHOUR 2:5 basically 20:14 BEEBE 2:5 behalf 5:3 believe 8:7 benefit 20:18 best 18:11 24:22 36:9 better 35:3 beyond 23:18 Bill 7:23 8:5,8 19:9 25:21 28:13,17,19 28:22,24 29:5,16,23 30:24 Blackburn 2:2 31:16 block 16:16 blue 13:3 18:2 Boston 1:16,23 3:16 3:18 5:23 6:23 8:6 8:11 9:9 11:10 24:2 25:11 26:2 27:18 29:18 31:20 33:6 34:6,13 bottom 11:12 break 35:4 brief 18:19 Brighton 6:9 bring 25:18 bringing 9:12 24:12 25:20 BROCK 1:20 Brookline 6:20 buffer 5:20 12:24 13:4 13:6 19:15 20:3,6,11 27:1,11,15,16 30:7 30:13 33:5 bumper 33:1 busy 12:18 <hr/> C <hr/> C 3:1 5:1 Cadin 1:12 2:3 4:3 5:2 5:10 36:6 37:2,24 38:1 | called 5:3 calls 29:3 Cambridge 1:15 3:15 Caption 1:10 car 32:23 33:2 care 21:6 22:2 CARMEL 2:3 Carol 1:18 36:2,23 case 6:15,19 28:8 38:3 cases 20:11 23:23 center 26:16 centers 21:5 certainly 17:8 21:14 CERTIFICATE 36:1 certify 36:5,14 37:2,4 chance 18:23 27:14 28:2 change 37:8 38:12 changed 5:19 24:18 changes 37:7 chaplet 17:4 34:4 checks 24:12 child 21:7 23:21 25:12 Choate 3:5 choice 21:9 choices 21:24 chooses 23:20 chosen 24:7 CLARK 2:4 class 6:5 7:10,11 clinic 5:23 6:14,17,20 6:23 9:9 11:10 12:22 14:15 20:20 21:20 23:19 24:2 25:11 26:2,2,11,22 27:19 28:12,18 29:6,18 30:13,19 31:20 32:23 33:6 34:1,6,13 closer 19:19 clothes 24:15 clothing 9:24 Coakley 1:6 2:8 36:8 38:4 coincidentally 32:14 collect 25:18 color 19:2 come 30:22 31:17 coming 9:11 22:13 Comm 11:1,3 commission 36:4 Commonwealth 1:7 2:9 5:12 11:13 32:21 36:3 communicating 34:20 communication 23:17 communicative 27:1 Complete 1:10 | Concern 18:17 21:11 24:9 26:12,13,14,19 concluded 35:9 confidence 18:9 Congress 1:22 CONLEY 2:10 contacts 26:1 convenient 7:18,22 conversation 9:14,22 10:13,15 12:9 14:3,8 14:11,21 20:22,24 22:20 23:12 conversations 21:1 34:12,16 convince 24:18 26:12 26:19 convinced 25:2,11 copies 19:8,12 correct 5:24 19:20 correction 38:13 Cotter 7:23 8:5,8 19:9 25:21 28:13,17 29:17 counsel 3:9,21 15:24 36:14,17 38:6,19 County 2:11,12,14,15 couple 14:20 23:9 29:23 couples 14:2 courier 24:14 Court 12:4 36:1 crazy 16:14 crucifix 17:5,7,9,10 CSR/RPR/RMR 1:18 CT 3:6 curse 28:5 CYRIL 2:4 <hr/> D <hr/> D 2:14 4:1 5:1 DANIEL 2:9 DATE 38:2,18 DATED 36:23 day 7:1,2,12 8:3 29:4 29:11 30:22 37:21 days 7:17,17,19 17:2 29:4,7 decats 17:17 decided 25:23 decision 10:18 Defendants 1:8 2:16 3:21 5:3 Definitely 29:12 demeanor 10:20,21 depend 7:5,9 Depending 31:14 depict 12:20 | deponent 36:10 38:8 deposed 5:6 deposition 1:12 35:8 36:6 38:12 DePRIMO 3:3,4 38:7 describe 15:3 described 12:11 15:22 23:15 describing 12:20 15:18 Devine 17:4 diapers 24:16 different 13:17,19 14:2 17:18 25:17,18 25:22 32:20 difficult 20:4 DIRECT 5:8 directly 12:16 13:10 disclosures 28:7 DISTRIBUTION 38:6 District 1:2,3 2:10,11 2:13,15 document 28:20 doing 10:24 15:22,22 16:10,13 17:1 25:10 28:11 29:17 30:12 33:5 34:1,6,23 DONALD 2:4 door 16:11 Dorchester 26:16 drive 32:18 driver's 5:5 drown 16:12 duly 5:5 <hr/> E <hr/> E 3:1,1 4:1 5:1,1 EARLY 2:14 easier 20:7 easily 20:8 edge 12:18 effective 34:15 efforts 23:19 either 11:21 16:9,16 18:1,14 19:9 26:22 29:20 30:23 32:7 Eleanor 1:5 2:2 8:9,24 9:3 13:14 18:14 19:9 24:9 25:9,16,17 26:23 31:9 34:5,6,12 36:7 38:3 element 23:1 Ellen 11:7 employed 36:15,17 employee 36:16 employees 16:2 |
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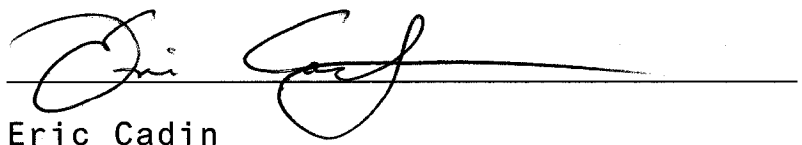
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SIGNATURE PAGE/ERRATA SHEET

I, **Eric Cadin**, hereby certify that I have read the foregoing transcript of my testimony, and further certify under the pains and penalties of perjury that said transcript is a true and accurate record of said testimony (with the exception of the following changes listed below):

| Page | Line | Change and Reason Therefor |
|-----------|--------------|--|
| <u>30</u> | <u>5-6</u> | <u>Remove "Ruth is the one who</u> <u>hands out rosaries." That woman</u> <u>is not Ruth.</u> |
| <u>30</u> | <u>9</u> | <u>Change "yes" to "no". I have not</u> <u>seen Ruth hand out rosaries</u> |
| <u>50</u> | <u>20-21</u> | <u>Remove "Ruth is there pretty</u> <u>regularly on Tuesday." She is not</u> <u>there regularly on Tuesday</u> |

Signed this 2 day of July, 2011.


Eric Cadin